

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FONSO LAMONTE WIRES,
Petitioner

v.

B.A. BLEDSOE, Warden,
Respondent

No. 3:09cv943

(Judge Munley) FILED

608-10N

AUG 25 2009

M. G. V.
DEPUTY CLERK

ORDER

AND NOW, to wit, this 25th day of August 2009, we have before us for disposition Magistrate Judge J. Andrew Smyser's report and recommendation, which proposes the dismissal of Fonso Lamonte Wires' habeas corpus petition. No objections to the report and recommendation have been filed, and the time for such filing has passed. Therefore, in order to decide whether to adopt the report and recommendation, we must determine whether a review of the record evidences plain error or manifest injustice. See, e.g., Sullivan v. Cuyler, 723 F.2d 1077, 1085 (3d Cir. 1983); FED. R. CIV. P. 72(b) 1983 Advisory Committee Notes ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record to accept the recommendation"); 28 U.S.C. § 636(b)(1).

After a careful review, we find neither a clear error on the face of the record nor a manifest injustice, and therefore, we shall adopt the report and recommendation.

- 1) The magistrate judge's report and recommendation (Doc. 16) is hereby **ADOPTED**;
- 2) The petitioner's motions for injunctive relief (Docs. 3, 4, 9 and 10) are **DENIED**;
- 3) The petitioner's motion for default judgment (Doc. 12) is **DENIED**;

- 4) The petition for a writ of habeas corpus (Doc. 1) is **DENIED**; and
5) The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:



JUDGE JAMES M. MUNLEY
United States District Court